

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educator)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Victor Shelton)	
)	
Certificate 224087)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on March 8, 2006. On January 9, 2005, the Office of Educator Certification sent Victor Shelton a notice of his right to a due process hearing regarding the possible suspension of his South Carolina educator certificate by certified mail, return receipt requested, delivery restricted to addressee. Mr. Shelton received the notice, as evidenced by the signed postal receipt. Mr. Shelton did not request a hearing during the period specified by the notice letter. After considering the evidence presented, the State Board voted to suspend Mr. Shelton's certificate for one year.

FINDINGS OF FACT

Mr. Shelton holds a valid South Carolina educator certificate with over eleven years of teaching experience. Mr. Shelton held a contract for the 2005-2006 school year with the Greenville County School District (District), and was assigned as an Art teacher at Southside High School. On September 14, 2005, Mr. Shelton notified his principal that his last day of employment would be September 16, 2005. On September 16, 2005, the District notified Mr. Shelton that he would not be released from his contract. When Mr. Shelton did not return to work, the District Board of Trustees voted on November 22, 2005, to request the suspension of Mr. Shelton's certificate as a result of his breach of contract.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for unprofessional conduct. S.C. Code Ann. §§ 59-25-150 and 160 (2004). Breach of contract is deemed to be unprofessional conduct. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Regs. 43-58 (1992). The State Board finds that there is sufficient evidence supporting its conclusion that Mr. Shelton breached his contract with the Greenville County School District, warranting the suspension of Mr. Shelton's certificate 224087 for a period of one year, from March 8, 2006, through March 7, 2007. Should Mr. Shelton wish to have his certificate reinstated at the end of the suspension period, he may make a written request for reinstatement to the Office of Teacher Certification.

South Carolina State Board of Education

By: /S/ Joe Isaac

Joe Isaac, Chair

Columbia, South Carolina

March 8, 2006